

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-5 and 10. Claims 1, 2, 4, 5 and 10 are amended herein, claims 6-9 are cancelled herein without prejudice and new claim 11 is added. No new matter is presented. Thus, claims 1-5 and 9-11 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 112¶2:

On page 2 of the outstanding Office Action, the Examiner rejected claims 1-5 as being indefinite.

Independent claims 1 and 5 are directed to an aspect of the present invention that recognizes a newly acquired customer as an existing customer once an order is placed by the newly acquired customer using the business web site. Claims 1, 2, 4 and 5 are amended herein to clarify the claimed invention.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102(e):

Claim 5 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Pub. No. 2001/0037283 (Mullaney).

On page 3 of the outstanding Office Action, the Examiner indicates that claim 5 reciting "a computer readable medium for storing instructions" is interpreted as having limited use only and that further recitations place no further limit on the computer readable medium.

Claim 5 is amended herein to clarify that the instructions stored in the computer readable medium cause the computer to execute the claimed operations.

Mullaney does not teach or suggest "transmitting a first mail requesting an introduction of a new customer-to-be... based on information of the existing customer" and "transferring information of the existing customer to the second file when orders are received from other terminals" (i.e., from customers introduced to the business based on information of the existing customer), as recited in claim 5.

Accordingly, Mullaney does not teach or suggest each and every element of the invention

claimed in claim 5.

Therefore, withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. § 103(a):

Claims 1-5 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mullaney and U.S. Patent Pub. No. 2002/0098891 (Graham).

Mullaney is directed to allowing members of the marketing community to negotiate and establish cross-referral agreements with other members of the marketing community. However, Mullaney is limited to business referral schemes based on cross-referral agreements between members of a marketing community (see, paragraphs 29, 33 and 40).

Graham is directed to deployment of tailored advertising-messages to consumers using integrated advertising messages. In Graham, a consumer is provided with customized advertising for gathering statistical data associated with a commercial entity's products from the consumer (see, paragraphs 6, 11 and 53). That is, Graham is limited to use of a computerized game for testing ability of a consumer to recognize a marketing object.

On page 4 of the Office Action, the Examiner acknowledges that Mullaney does not show that the information of the existing customer is registered to a second file, the second e-mail is sent to the first terminal to be transferred to a second terminal or the new customer information is saved as a third file, and also acknowledges that Graham does not show that the information is saved in second and third files. The Examiner further indicates that particular locations of information are not indicated as solving any problem.

The present invention selectively stores or registers information of customers (first, second and third files) for differentiating new customers acquired based on mails sent using existing customers and for using the new customers to acquire additional new customers.

Independent claims 1 and 5 recite, "transmitting a first mail requesting an introduction of a new customer-to-be for the business to acquire new customers... based on information of the existing customer registered in a first file", where the information of the existing customer is registered to "a second file when receiving an application from the existing customer and identifying the existing customer as an introducer of a new customer". The information of the existing customer in the first file is transferred to the second file "when orders are received from

other terminals" (claims 1 and 5).

Independent claim 10 also recites that the present invention transmits "a first mail requesting an introduction of a new customer to a terminal of an existing customer based on registered information of the existing customer in a first file" and registers "the information of the existing customer to a second file based on a response to the first mail from the existing customer".

It is submitted that the independent claims are patentable over the cited references.

For at least the above-mentioned reasons, claims depending from independent claims 1 and 5-11 are patentably distinguishable over the cited references. The dependent claims are also independently patentable. For example, as recited in claim 4, "the information about the existing customer is inputted at the second terminal when the new customer places the order through the Web site". The cited references do not teach or suggest these features of claim 4.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 11 is added to recite, "receiving information of a potential customer from an existing customer in response to a first mail sent to the existing customer" and "sending a second mail including information with respect to the business to the potential customer using a terminal of the existing customer". The present invention "categorically" stores information of the potential customer and the existing customer "based on receipt of a response to the first mail or the second mail" for acquiring new customers for a business.

It is respectfully submitted that none of the cited references teach or suggest the above-discussed features of new claim 11.

Therefore, it is submitted that new claim 11 is patentably distinguishable over the cited reference,

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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